

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING - July 17, 1968

Appeal No. 9666 Peerless Properties, appellant.

THE ZONING ADMINISTRATOR OF THE DISTRICT OF COLUMBIA, appellee.

On motion duly made, seconded and carried with Arthur B. Hatton dissenting, the following Order was entered at the meeting of the Board on July 23, 1968.

ORDERED:

That the appeal for variance from the provisions of Section 3301.1 requiring 900 square feet per unit in conversion of single family dwelling into 3-unit apartment at 1801 - 8th Street, NW., lot 39, Square 417, be granted.

FINDINGS OF FACT:

1. The subject property is located in an R-4 District.
2. The property is improved with a 3-story brick building situated on a lot which contains approximately 750 square feet. The building occupies the entire lot. The building has previously been used as an apartment building with 3 one bedroom units.
3. A Certificate of Occupancy was never issued, therefore, the size of the lot is less than required by the Zoning Regulations in the R-4 District for conversion to 3 apartment units.
4. Appellant alleges that the property was previously used as a multi-family dwelling or a rooming house.
5. Appellant alleges that plumbing facilities within the structure were installed approximately 20 years ago.
6. Appellant has conducted extensive renovations on the subject premises which has stood vacant for several years.
7. There are 3 entrances to the 3 apartments within the subject premises. The subject building is adjacent to 3 apartment buildings. Further north on 8th Street there are 3 four-unit apartment buildings.

8. No opposition to the granting of this appeal was registered at the public hearing.

OPINION:

We are of the opinion that the appellant has proven a hardship within the meaning of the variance clause of the Zoning Regulations and that a denial of the requested relief will result in peculiar and exceptional practical difficulties and undue hardship upon the owner. We are further of the opinion that the requested relief can be granted without substantial detriment to the public good and without substantially impairing the intent, purpose or integrity of the zone plan as embodied in the Zoning Regulations and Map.

Reference is made to the opinion of the Board forming part of the Order in Appeal No. 8631 for statement of the reasons of the majority of the Board for granting of this and similar appeals.

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED:

By: Charles E. Morgan
CHARLES E. MORGAN
Secretary of the Board

THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DIRECTOR OF INSPECTIONS WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.